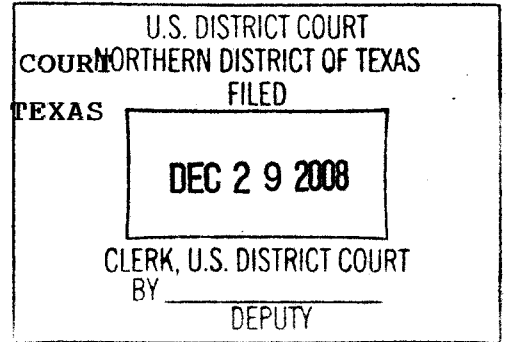


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



Stephen C. Walker
PLAINTIFF

vs.

Civil No. 2:08-CV-084

Joe S. Nunn, ET AL
DEFENDANTS

DECLARATIONS FILED BY PLAINTIFF IN SUPPORT

COMES NOW, Stephen C. Walker, the Plaintiff and files these
declarations in support:

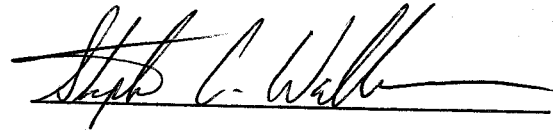
- EXHIBIT 1 - Declaration of Earl Wayne Kilgore
- EXHIBIT 2 - Declaration of Ruban Rodriguez
- EXHIBIT 3 - Declaration of Charles Harris
- EXHIBIT 4 - Declaration of Justine Eric Pluggee
- EXHIBIT 5 - Declaration of Carol Ann Simpson
- EXHIBIT 6 - Declaration of Edward Rodriguez
- EXHIBIT 7 - Declaration of Pete Guerrero
- EXHIBIT 8 - Declaration of Mareese Lang
- EXHIBIT 9 - Declaration of Khamdee Thongkhounmee
- EXHIBIT 10- Declaration of Dantruan Aki Grant
- EXHIBIT 11- Declaration of Rudy Jaramillo
- EXHIBIT 12- Declaration of Tommy Lee Genson

EXHIBIT 13- Declaration of Robert Lee Cambric

EXHIBIT 14- Declaration of Kevin Thurmond

EXHIBIT 15- Declaration of Paul Salafia

EXHIBIT 16 - Declaration of Stephen C. Walker

A handwritten signature in black ink, appearing to read "Step C. Walker", written over a horizontal line.

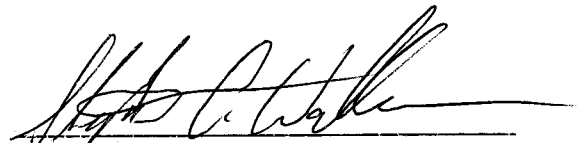
Stephen C. Walker
1442 Helton Road
Pampa, Texas 79065

CERTIFICATE OF SERVICE

I, Stephen C. walker, hereby certify that on this date,
I mailed a true and correct copy of the following document
by United States Mail, postage pre-paid, to the defendants
attorney of record at the following address:

*Assistant Attorney General
MS. Nadine Phillpotts
P.O. Box 12548
Austin, Texas 78711*

Dated this 22 day of December, 2008


SIGNATURE

Stephen C. Walker
1992 Helton Road
Pampa, Texas 79065

DECLARATION OF EARL WAYNE KILGORE

I, Earl Wayne Kilgore, being competent to make this declaration and having personal knowledge of the matters stated therein, declare pursuant to 28 U.S.C. §1746:

I am not getting more than two to three hours of sleep a night due to my work schedule, school schedule and the schedule here at this prison, including the conduct of staff and regular prison operations.

I go to school at 8:00 a.m. (I'm required to be in the dayroom at 7:00 a.m.) until 11:00 a.m.. I go to lunch from 11:15 a.m. till 11:40 a.m. then return to my housing unit where I have to be in the dayroom.

At 2:00 p.m. I have to go to work in the kitchen and get off at 10:00 p.m.. Going back to my housing unit, we're locked in our cells at 10:30 p.m. and roster count begins at 11:00 to 11:30 p.m.. I can usually get to bed by 12:15 to 12:30 a.m.. At 2:00 a.m. it is called to get ready for breakfast chow and we're released to the dayroom 15 minutes later. We go to chow anywhere from 2:30 a.m. to 3:00 a.m.. I get back within 30 minutes.

At 3:30 a.m. we are told to get ready for laundry exchange. At 4:00 a.m. to 4:30 a.m. we are released for laundry exchange where we get clean clothes. We only get one set of clothes a day. Again, I go back to my cell and try to fall asleep.

At 6:30 a.m. it is called out over the intercom for school to get ready to turn out to the dayroom, where the whole process begins again.

This does not include the screaming on the intercom, staff intentionally slamming cell doors or not letting us in our cells, nor the daily noise of slamming dominoes, televisions and the other activities of prison.

If i fall asleep at work or school, I get a disciplinary case but its something I can't help as this prison won't let you sleep.

We can't sleep in the dayroom or we'll get a case.

I feel completely drained both physically and mentally and am experiencing concern over my health, safety as I work around hot burners, pans, knives, ectra, and I'm always tired to the point of nodding off, my stomach has been causing me problems, and at times I feel anger and depression because these staff are doing this to me for what they say is there safety and mine. This is cruel torture and I shouldn't have to be tortured because I'm here.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, April 23, 2008

SIGNATURE



1447743
Earl Wayne Kilgore
1447743
1992 Helton Road
Pampa, Texas 79065

Declaration of Ruben Rodriguez

Ruben Rodriguez, being competent to make this declaration and having personal knowledge of the matter stated therein, declares pursuant to 28 U.S.C. 1746:

During my incarceration at the Jordan Unit my sleeping habits have changed dramatically for the worse. I have noticed mental changes in my behavior, such as spells of depression, not able to study and grasp mentally, short temper in a harmful way to myself and others.

I once asked a T.O.C.S security guard why breakfast is from 2 AM till 3 AM and then laundry at 4 AM and the slamming of the cell door. his response was to keep us weak for their own safety. After laundry most of us have to prepare for work or education. Lunch is followed by another count then the last chow then another count. I try to shower before yet another ^{count} at 9:00 PM and hopefully nap until I.D. check at 11 PM. Many times I'm told to get off my bunk to retrieve mail that wasn't passed out at the proper time.

I truly feel this is a form of cruel and unusual punishment and I fear the long term effects this sleep deprivation will have on me.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on 3-17-08

Ruben Rodriguez
Ruben Rodriguez # 913913
1492 Helton Rd. Pampa, TX.
79065

Declaration of : Charles W. Harris

Charles W. Harris, being competent to make this declaration and Having personal Knowledge of the matters stated therein, declares pursuant to 28 U.S.C. § 1746;

Upon my arrival on the Rufe Jordan Unit I have come to realize and experience the extent and capacity of sleep deprivation that I, and other offenders on the Rufe Jordan unit are subjected to on a daily Basis.

I work from approximately 10:00 p.m. to 0600 a.m. on the showers as a shower Janitor, and by 0700 a.m. I am back in my cell to go to sleep, or attempt to because at 0700 a.m. is when the dayroom(s) are scheduled to be open, then the officers come in the dayroom and turn the volume up to very high levels (my cell is next to the T.V.), next comes the opening of the doors, and instead of closing them in a normal fashion the officers choose to slam the doors very hard, when saying something to the officers about slamming the door they tell me, "Who Cares" and "Don't Come to prison if you don't like it," this is a form of address and answer(s) I have received when mentioning this particular problem. Next comes the hourly ins and outs and the continued slamming of the doors every hour, then comes the noon meal, then more door slamming, then there is the evening meal (3½) hours later and more slamming of doors, and then shift change and more slamming of doors, then they call count and while I am asleep they wake me up to ask me, "What Bunk is yours"; (I am in my Bunk asleep). Then, after count comes the officers then come around with mail call about 7:00 p.m. and then at about 8:15 they start hollering for Rec. yard and pill window, and then they start passing out official Lay-ins which is going from door to door banging on them and waking me up so I will sign for the Lay-in; well, at 10:30 p.m. they wake me (us offenders) up again for Roster Count, and at 02:00 a.m. they holler over the speaker system to get ready for chow, then they come around at 02:30 - 02:45 opening and slamming the doors for chow, then at 03:30 a.m. they holler for the Laundry workers to turn out and then at 04:00 a.m. they call us to turn out for Laundry exchange and then more opening and slamming of doors, and then at 05:30 a.m. they start

Hollering for Boot factory to turn out and once again there is more slamming of doors.

Another way we are deprived of sleep is the fact of: If we (offenders) have an official Lay-in to be (for instance) at the infirmary at 08:00 a.m. then we have to get up and be out there in the day room by 07:00 a.m. Just to sit out there and wait! As you can see there is not even a full 2-3 hours of sleep at any given time during a 24 hour period!

I am constantly stressed out, short of temperment, tired, irritable, and have been told by medical staff at the Jordan Unit that the reasons I have been having anxiety and other related problems could very well stem from the lack of sleep I have been getting here on this Jordan Unit! The medical staff's names are: Mrs Kurtman, Mrs. Klindeney, and Mr. Miller.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of Perjury that the foregoing is true and correct. Executed on March 6, 2008.

Charles W. Harris #1142232

Charles W. Harris #1142232
Rufe Jordan Unit
1992 Helton Road
Pampa, Texas - 79065

Declaration of Justin Eric Plugge

Justin Eric Plugge, being competent to make this declaration and having personal knowledge of the matters stated therein, declares pursuant to 28 U.S.C. § 1746:

Since I have been incarcerated on the Rufe Jordan Unit, I have been subjected to a schedule, and other disturbances, that have deprived me of a healthy amount of sleep. I have been assigned to this Unit since (approx.) July of 2005. I currently work on the third shift as a kitchen helper, from 10:00 p.m. to 6:00 a.m.. So, this means that I take my shower and go to sleep by 6:30 to 7:00 a.m.. Well, the dayroom is opened for all qualified offenders (those not on disciplinary restriction) at 7:00 a.m.. That means that, just as I am getting to sleep, two officers are coming onto the wing and yelling out "Day Room Time!" and also slamming all of the doors to the cells shut. Then, as I finally get about an hour-and-a-half to two hours of sleep, two officers come back onto the wing and yell "Count Time!", as it is time for the 9:00 a.m. count to occur. Then, after about another hour-and-a-half to two hours, two officers will come onto the wing and yell "Get Ready For Chow!", at which time they will open and then slam all of the doors shut. Then, after the noon meal is through, two officers will yell "In and Out, Get Ready For Count!", and will again open and slam shut all of the cell doors. Then, they will come back on the wing and yell "Count Time!", and will proceed with the 1:00 p.m. count. After all of this, I still have to get up and be ready by 2:00 p.m. for the 'in and out', so that I can turn out to receive my laundry, which I cannot receive during morning issue because of my job, and I am usually not allowed to exchange my necessities until 2:45 p.m.. And finally, after I get back to my cell at the 3:00 p.m. 'in and out', I get to sleep for about another half-an-hour and I again get awakened by two officers yelling "In And Out For Chow!" at 4:00 to 4:30 p.m. for the afternoon meal. So, I'm lucky to get a total of five hours of sleep a day, which isn't even continuous sleep. The schedule has caused me to experience such physical maladies as headaches, eye-soreness, back and neck pain, fatigue stress, and has caused me to fall asleep at my job. This, combined with an already stressful environment, is not conducive to safety at work or my housing assignment, or to my overall good health. I feel that it places undue physical and emotional stress on me as a prisoner on this Unit. I have complained to C.O.s and Ranking Officials about this and have always been told "So what?", "It is not my problem.", "Too bad," or "I don't care." I feel that that is a grossly negligent and abusive response to what I see as a serious problem.

Persuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on March 16 / 2008.

Justin Eric Plugge #912859

Justin Eric Plugge
#912859 Rufe Jordan Unit
1992 Helton Road
Pampa, Texas 79065

DECLARATION OF CAROL ANN SIMPSON

I, Carol Ann Simpson, being competent to make this declaration and having personal knowledge of the matters stated therein, declare pursuant to 28 U.S.C. 1746:

The attached copy of my letter sent to Warden Bell on April 22, 2002 via United States Postal Service, concerning my husband's sleep deprivation is an authentic, true and correct copy.

As a licensed nurse and Michael R. Simpson's (653185) wife, I remain deeply concerned for his mental and physical health as the schedule with which he is forced to comply makes it impossible for him to get enough sleep for normal health status. The schedule: 2:00 a.m. to 3:00 a.m. breakfast, 4:00 a.m. to 4:30 a.m. laundry, 6:00 to 12:30 p.m. lunch, 3:45 to 5:00 supper, and noise of televisions and dayrooms until very late evenings; then being awakened between 11:00 and 11:45 when he must get up and bring his I.D. card to the door, does effectively and purposely prevent his having any chance of getting adequate sleep.

Over the years I have watched his physical fitness fading as he struggles to remain fit and is unable to do so. At visitation I see him looking fatigued, battling exhaustion and losing weight, i.e., muscle mass involuntarily.

Pursuant to U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, April 6, 2008.



Carol Ann Simpson
2829 Armand St.
Amarillo, Texas
79110

April 22, 2002

Carol Simpson
2829 Arr^{Man}and
Amarillo, Texas
79110

Warden Bell
1992 Hilton Road
Pampa, Texas
79065

Dear Sir,

This letter is long overdue, but is being written to you now because of absolute necessity.

My husband, Michael R. Simpson 653185, is incarcerated in the Jordan Unit.

He is a good man and a hard worker. He does all he can to keep a Christian atmosphere around himself by the example of the way he lives and and by his service in the Sons of Victory gospel quartet.

Right now he is having a serious health problem totally due to scheduling practices being enacted by night shift personnel. He functions best with eight hours of sleep per night. He can get by on six hours of sleep. However, lately he is only being allowed three hours per night.

This is uncalled for and inhumane treatment. We know that sleep deprivation is a documented form of torture used through the ages to break down men. I'm seeing Michael fade before my eyes on my weekly visits.

Warden Bell, you can issue the orders needed to correct this situation. I plead with You to do so now, without delay. Michael's health is of utmost priority to me and I pray You will take action to prevent further deterioration of his physical and mental condition.

If you will look at his record, you will find he has made honest efforts to do all the system requires of him and goes the second step always to serve his time with honor and dignity.

Sincerely Yours,

Carol Simpson
Carol Simpson

DECLARATION OF EDWARD RODRIGUEZ

I, Edward Rodriguez, being competent to make this declaration and having personal knowledge of the matters stated therein, declare pursuant to 28 U.S.C. §1746:

Since I have been at this unit, I have been deprived of sleep on a systematic basis despite my repeated complaints. Cell doors are slammed once an hour or more by staff all during the day and at times during the morning when they call for breakfast and laundry making it impossible to sleep at times during the night. This practice continues during the day every hour. I have asked the officer to stop slamming the cell door but they either make a snide comment or just walk off, returning an hour to slam the door again knowing its waking me up, thus preventing me to get any sleep. Some just laugh about it. Regardless of who I've complained to ~~trh~~ the same practice continues unabated.

I am assigned to maintenance along with other numerous inmates. I have to turn out for work starting at 6:30 a.m. and report to work from 7:00 a.m. and work till 4:30 p.m. on less than three hours of sleep per night. We are racked up at 10:30 p.m., required to stand at the door for roster count at 10:40 to 11:15 p.m., breakfast is from 2:30 to 3:15 a.m. in which cell doors are slammed shut ~~regarfdless~~ ~~regardless~~ regardless of going or not, and laundry is from 3:45 a.m. to 4:30 a.m. and sometimes later. Then the entire process begins again. I work with and around machinery that can easily kill a person, shock a person, and injure a person critically. I often fall asleep at work from being so tired and mentally and physically exhausted, risking a major case for falling asleep. Despite my complaints, they are ignored and I'm still required to work. I fear for my physical safety and that of my physical and mental health.

Because of these conditions, I've experienced depression, frustration, anger, mood swings, headaches, stomach trouble, exhaustion both physically and mentally, and a meriad of other

effects from not sleeping. This condition has created a hostile living environment, and we're told that sleep is our problem and not theirs (staff). Regular correctional staff have stated that what their subjecting us to is wrong and cruel.

The noise in the dorms are unbelievable and what amount's to a roar, ~~unable~~ unable to hear ones self. TV's are turned up all the way and these can't even be heard over the excessive noise that caused many a headache and stress. Staff scream on the intercoms all during the day and nights. Some Dominoes are slammed all day with other prisoners screaming across the dayrooms.

All this together has created an environment conducive to pure rage, frustration and is harmful to me. NO matter who I complain to it doesn't matter. Again, we're told that sleep is our problem, not theirs.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on August 11, 2008

Edward Rodriguez

Edward Rodriguez
1430795
1992 Helton Road
Pampa, Texas 79065

DECLARATION OF PETE GUERRERO

I, Pete Guerrero, being competent to make this declaration and having personal knowledge of the matters stated therein, declare pursuant to 28 U.S.C. §1746:

Since arriving here at the Jordan Unit, I have been continuously been sleep deprived by scheduling, excessive noise, and staff misconduct and intentional harrassment. Because of these ongoing conditions, I have fallen asleep at work, suffered mood swings of frustration, anger, ectra, and fear that this condition is harmful to my health as I'm receiving between two and three hours of sleep per night which is interrupted on a continuous basis.

The noise here at this unit is unbelievable preventing any possibility of sleep in the day time. Cell doors are slammed shut twice an hour or at the least, once an hour by staff. When telling them that this is waking me up, I've been told many things including to not come to prison. Staff intentionally slam the doors knowing this is waking me and all prisoners up for the sole purpose of harrassment. Additionally, Televisions are turned up to their maximum volume, prisoners screaming across the dayrooms, dominoes are slammed on metal tables repeatedly which the staff make no attempt to stop, the intercom is screamed on day and all through the night by staff, staff are creating noise and confrontations. This has prevented me from receiving any meaningful sleep.

I am locked in my cell at 10:30 p.m.; roster counted which requires me to be at the door with my ID from 10:45 to 11:15 p.m.; called to get ready for breakfast starting at 2:15 a.m. to 2:30 a.m. and released to the dayroom between 2:30 a.m. until called for breakfast which can be anywhere from 2:30 a.m. to 3:15 a.m.; laundry get ready is at 3:30 and then released to go get laundry between 4:00 a.m. and 4:45 a.m.; get ready for work turnout at 5:30 a.m. and released to work in the boot factory at 6:00 a.m.. I often forgo breakfast because I'm so tired and metally exhausted but this doesn't help much because staff slam the cell door waking

me and resounding through out the dorm. I have to get up for laundry to get clean clothes which are passed out on a daily basis. Additionally, I must get clothes or face possible disciplinary for hygienic reasons as TDCJ requires prisoners to remain clean. Additionally, TDCJ has stopped passing out supplies to clean our cells and I fear staph infection.

Sleeping during the day, it's next to impossible as cell doors are intentionally slammed by staff at least once an hour, plus the schedule doesn't allow for more than two hours of sleep at any one time.

Because of these outlined conditions, my health and mental health are effected as I'm constantly angry and frustrated that staff won't address this problem despite my and all prisoners repeated complaints. Falling asleep at work threatens my physical safety. Additionally, if I fall asleep at work, I'll be written a disciplinary case, such as was the case of Stephen C. Walker, who fell asleep and as a result, cut his head open on a piece of metal sticking out on a lathe. Thus, this administration is unnecessarily and knowingly endangering my physical and mental health by allowing this condition to persist.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on August 11, 2008.



Pete Guerrero
1409749
1992 Helton Road
Pampa, Texas 79065

DECLARATION OF MAREESE LANG

I, Mareese Lang, being competent to make this declaration and having personal knowledge of the matters stated therein, declares pursuant to 28 U.S.C. §1746 :

The scheduling is as follows: 10:30 p.m. rack time. 11:00 to 11:15 p.m. stand up roster count at the cell door. 2:30 a.m. released to morning breakfast. Being a kitchen worker, I go to necessities for clothing exchange at 3:30 a.m.. My work shift begins at 4:30 a.m. to 12:00 p.m. seven days a week.

returning from ~~at~~ work, I find very little sleep which is nothing more than short naps. Officers intentionally slam cell doors with the intention of waking me up. When confronted about it, I've been told, "Get over it, your in prison", "You don't like it, make parole", "Should have thought about that before coming to jail," ectra. Additionally, the noise in the dayrooms is so exesive with the TV's turned up all the way, screaming over the intercom by staff, prisoners screaming over one another, making any meaningful sleep next to impossible. This has created an atmosphere of frustration, anger and where tempers flare over the littleist things. Additionally, staff add further to this by creating animosity by slamming cell doors, screaming, ectra and line officers take no iniative to correct or address the problems

I have to skip breakfast in order to get up for work in the mornings which is at 4:30 a.m. yet still, I'm woken up by the cell door being slammed and the hollering on the intercom in which the speakers are not one foot from our cells. This has resulted in my being tired at work. If i don't wake up from the cell door or screaming on the intercom during the ~~breakfast~~ breakfast announcement, then I may receive 3 hours and 15 minutes of ~~unint~~ uninterrupted sleep but doesn't happen all that often.

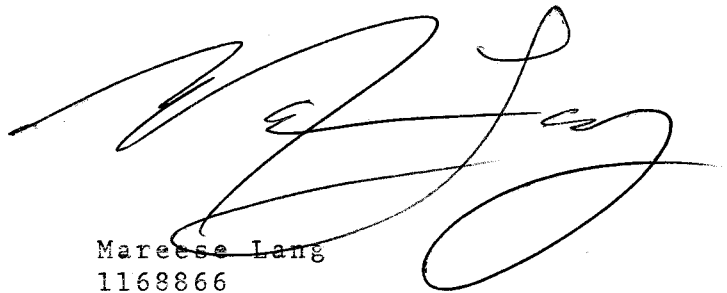
Everyone here at this unit complains of inadequate sleep yet nothing is being done about it and this condition continues today.

Wile I'm at ~~tw~~ work, I'm tired and this effects my job performance. I have burned myself repeatedly, once receiving 2nd degree burns

which required medical attention and is still healing at this time. Additionally, I've experienced face twitching, hands that shake, ectra. When the nurse was treating my burns, this occurred and I askd what was causing it, after explaining to her how long this had been happening and that I worked the night shift and/or early morning. She stated that it could be stressed, which I experience, and that I needed sleep. Additionally, I've experienced headaches and I suffer from hypertension.

This inadequate sleep and the conditions outlined in this declaration expose me to risks, health risks, ectra. Additionally, I work around and with hot ovens, stoves, boiling water, knives, and other equipment that can harm me when I'm tired. Working is not discretionary but a requirement of TDCJ. If I don't show up for work or fall asleep, I'll be disciplined for such. The conditions I'm incarcerated uder are harmful and effect me in a negiv negative way and pose a serious risk to my health and safety.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on August 12, 2008.

A large, stylized handwritten signature in black ink, appearing to read 'Mareese Lang', is positioned above the printed name and address.

Mareese Lang
1168866
1992 Helton Road
Pampa, Texas 79065

DECLARATION OF KHAMDEE THONGKHOUNMEE

I, Khamdee Thongkhounmee, being competent to make this declaration and having personal knowledge of the matters stated therein, declare pursuant to 28 U.S.C. §1746 :

I have been in TDCJ-ID for 17 years. During this time it has been the systematic practice of depriving inmates sleep by feedi feeding morning chow during the middle of the night, preventing me from receiving any meaningful sleep and/or uninterrupted sleep. Since being here at the Jordan unit, this has become worse. Roster counts at 11:00 p.m. at the door, breakfast between 2:30 a.m. and 3:20 a.m., laundry at 3:45 to 4:30 a.m. and then turn out for work starting at 7:00 a.m.. Aggravating the problem is the excessive noise throughout the day which makes it impossible to sleep or even hear oneself and often results in headaches and severe stress. Staff play and scream on the intercom during the day and during the night. Additionally, cell doors are slammed intentionally to wake prisoners up both during the day and during the night preventing any possibility of sleep. Staff find it amusing that they can wake us up, depriving me and all prisoners of sleep. Some staff bang on tables during the night with the intention of waking prisoners up. The results have been that I am often receiving less than 3 hours of sleep per night. I forego breakfast for the sole purpose of hoping for an extra hour of sleep but this doesn't help as the cell door is slammed shut or staff scream on the intercom. Regarr Regardless of the numerous complaints by myself and other sta- inmates, nothing has changed. We are told that sleep is our problem and staff deny that misconduct exists, thus the condition is never ending.

BEcause of this, I suffer from mental and physical exhaustion, stress, anxiety, headaches, and I fear for my physical and mental safety. Additionally, the excessive noise causes me repeated headaches, stress and I fear for my hearing. This condition that staff won't address continues to effect me in an adverse way.

I continue to fear for my health and future health.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this August 11, 2008.

A handwritten signature in black ink, appearing to read 'Khamdee Thongkhounmee', with a large, stylized 'K' at the end.

Khamdee Thongkhounmee
534379
1992 Helton Road
Pampa, Texas 79065

DECLARATION OF DANTRUAN AKI GRANT

I, Dantruan Aki Grant, being competent to make this declaration and having personal knowledge of the matters stated therein, declares pursuant to 28 U.S.C. §1746:

The following is my schedule:

- (1) 10:30 p.m. rack up in cell
- (2) 11:00 to 11:15 p.m. roster counted at the door to show ID
- (3) 1:00 a.m. am woken up by intercom announcing kitchen workers
- (4) 2:15 a.m. get ready for breakfast chow
- (5) 2:30 turn out to dayroom for chow (breakfast a.m.)
- (6) 2:30 a.m. to 2:45 a.m. released to go to breakfast
- (7) 2:45 to 3:15 a.m. get back from breakfast
- (8) 3:30 a.m. intercom announcement for laundry workers
- (9) 4:00 a.m. released to get laundry which I must go to.
- (10) 4:30 or so, back from laundry with clean clothes (a.m.)
- (11) 5:05 a.m. votech called out on intercom.
- (12) 6:00 a.m. get ready for regular school which I attend
- (13) 7:00 a.m. released to school for my classes
- (14) 11:00 a.m. released from school to go to lunch chow
- (15) 11:30 to 12:00 p.m. return to dorm and sit in dayroom.
- (16) 1:00 p.m. count
- (17) 3:30 p.m. get ready for dinner chow and out in dayroom
- (18) 4:00 to 4:45 p.m. turned out for dinner chow
- (19) 4:45 p.m. to 5:15 p.m. come back from chow.
- (20) 6:00 p.m. count, and take shower
- (21) 7:30 to 7:45 p.m. let in my cell
- (22) 9:00 p.m. count
- (23) Process begins again starting at 10:30 p.m.

This schedule that is imposed upon me has prevented me from getting any real sleep and at no yti= time, more than 2½ hours which is often due to the slamming of cell doors intentionally by correctional staff which wakes me up. Additionally, the noise makes sleeping during the day all but impossible.

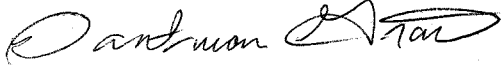
Because of the inadequate sleep and the conditions and scheduling, I'm exhausted both physically and mentally. I fall asleep everyday in the middle of the day and during the school classes. Because of this, I have been pit out of one class. Additionally, I am threatened with a disciplinary case if I fall asleep. I've complained to my teacher, Mrs. Longan, but was told, "There's nothing I can do."

At this time, I'm being treated for nerves and depression and not getting sleep is causing me more depression, frustration, anger, anxiety, stress, alters my mood, and headaches. I know this is hurting me but noone will do anything about it. Also this inadequate sleep has raised the tention within the facility pitting inmate against inmate and crreating staff confrontations.

Sleeping during the day is impossible because of the noise which is so loud that one can't even be heard. Even staff have vie voiced frustration at the noise. Dominoes are slammed, televisions are turned up all the way and still cna't be heard, prisoners screaming across the dayroom, staff screaming on the intercom, and all this sound reverbarating off the walls and cells. The noise is so loud that I get headaches, and ringing in my ears. Even if I go to my cell, the noise comes in as there is nothing blocking it. Pluss, cell doors are slammed. Confronting the officer about slamming the door ever hour and waking me if I try to get sleep, I'm told welcome to prison and things like that. Staff do this on purpose to wake me and create a hostile environment.

This condition and environment is hurting me both physically and mentally but no one will do anything about it. I fear for my health now and in the future and that of my a safety.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on August 12, 2008


Dantruan Aki Grant
1465986
1992 Helton Road
Pampa, Texas 79065

DECLARATION OF RUDY JARAMILLO

I, Rudy Jaramillo, being competent to make this declaration and having personal knowledge of the matters stated therein, declares pursuant to 28 U.S.C. §1746:

I am a Sewing Factory worker having to begin my day at 5:30 a.m. and working til 12:00 p.m.. Because of the scheduling and conditions, including the conduct of staff, I am receiving less than three hours of sleep per night and I often don't receive this.

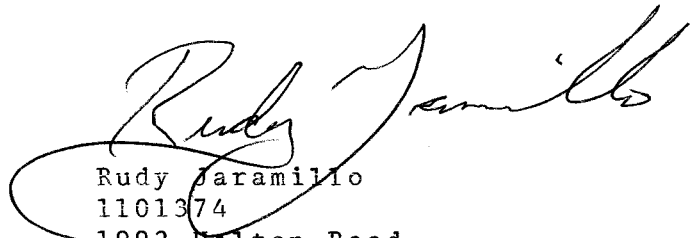
I am subjected to the same schedule as the other prisoners here at the Jordan Unit being the Roster Counts, Breakfast, and Laundry times and/or schedules. This in itself has made it to where I can't receive anymore than an hour or two of uninterrupted sleep due to this schedule and the fact that staff scream on the intercom all during the night, and some have been known to intentionally come in to the dorm and beat on the tables to wake prisoners up, such as Ms. Andrea Valusek. Additionally, staff slam cell doors intentionally to wake me and all prisoners up all during the night and during the day.

The noise in the dayrooms during the day make sleep impossible. Televisions are turned up all the way (which can't be heard over all the other noise), prisoners screaming over one another, table games such as dominoes being slammed, staff screaming over the intercom repeatedly. This is compounded by the fact that all this noise reverberates off the concrete walls amplifying such. Staff make no attempts to limit this noise but often contribute to such. During the day, as I stated, cell doors are slammed once and often twice an hour by staff. If your attempting to sleep, this will bring you awake in an instant. When confronting the staff, they laugh about it, tell you to write a greivance, or make some snide comment such as don't come to prison, get over it, or use some expletive language. Staff know that nothing will happen and unit staff and administration will not address the problems when brought to their attention. This leaves me or any prisoner any avenue to address the issue. The combination is creating a hostile living

living and working environment where tempers flare and deprived individuals feel frustration and anger, including myself.

I have personally experienced depression, sleepiness, exhaustion both physically and mentally, anxiety, anger, shortness of temper, severe headaches, my ears hurting from the noise, ectra. I continue to experience this ~~wiht~~ with the addition of fearing for my physical and mental health presently and in the future. I feel like I'm losing my mind at times and no matter who I bring these issues up to they reply there's nothing they can do, or, that I must find sleep, and/or, that its not there problem. I have attempted to address this many times but have given up as nobody seems to care. If I fall asleep at work, in the dayroom, or injure myself, I'm written a disciplinary case and locked up. Yet, its the TDCJ system thats subjecting me to these conditions which I'm helpless to stop and officials on this unit don't seem to care. Additionally, I'm not the only one who has complained about this sleep issue and whats causeing it, nor am I the el only one who is experiencng this severe sleep deprivation as I've seen and heard many prisoners complain about this problem but with no results.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on August 12, 2008


Rudy Jaramillo
1101374
1992 Helton Road
Pampa, Texas 79065

**DECLARATION OF
TOMMY LEE GENSON**

I, Tommy Lee Genson, being competent to make this declaration and having personal knowledge of the matters stated therein, declares pursuant to 28 U.S.C. §1746 :

I am suffering from sleep deprivation, sleep restriction and sleep fragmentation which is having an adverse effect upon my mental and physical health, and which continues to threaten my health and safety to include present and future.

my day begins at 5:20 a.m., getting ready for work at the Jordan Sewing Factory that is run by Texas Correctional Industries. I turn out in the dayroom for work at 5:30 a.m. and wait till I am released to work which is anywhere from 6:00 a.m. to 6:30 a.m..

I get off from work at 11:30 to 12:00 p.m. noon, where I go to lunch chow and return to my wing (dorm) between 12:30 and 12:45 p.m.. At 1:00 p.m. its count time. After count clears sometime after 2:15 p.m. theres an in and out to the cells. In my cell at this time, I attempt to take a nap till 4:00 and/or 3:30 p.m. depending on when they call for dinner chow. Additionally, during these times, cell doors are opened and slammed shut once and sometimes twice an hour. If I do manage to find a few minutes of sleep, I'm intentionally woken up by staff who slamm the cell doors, 42 of them, including my own cell door. Napping does nothing but make me feel worse, drained, exhausted to the point of feeling as if I'm about to drop. Starting about 3:30 p.m. cell doors are opened and we're told to get ready for chow and turned out in the dayroom to await supper. Supper can be anywhere from 4:00 p.m. to as late as 5:20 p.m.. Being in the dayroom waiting for dinner, we aren't allowed to sleep, which in fact is all but impossible due to the noise which is like standing in the middle of a train track when a train goes by on the next track; a loud roar till 10:30 p.m..

At 5:30, if they do an in and out to let prisoners in their cells, I go in my cell and try to take another nap, desprate for any sleep, which again is almost impossible due to the noise of the dayrooms and intercom blaring. At about 6:00 p.m. to 6:30 p.m. they do another count which clears around 7:00 to 7:20 p.m.. At this time,

staff do an in and out and I come out of my cell for pill line and if they run rec, I'll attend that for one hour as its the only time I can be outside. Rec call is usually called at 7:30 or 7:45 p.m.. If I do go to rec, which isn't called all that often due to staff shortages, I'm back in my building by 8:30 to 8:45 p.m. and I take my daily shower. Sometimes they will do an in and out of our cells before count at 9:00 p.m. but thats a gamble and left to the staff which often forgo it. At 9:00 p.m. its another count. At 10:00 p.m. they do an in and out in which I go in my cell. Staff ~~wra~~ rack up all prisoners at 10:30 p.m. during the week days. At 11:00 to 11:15 p.m. they do a roster count that requires me and all prisoners to be at their doors with their ID's. Finally, about 12:00 a.m. midnight, I get to sleep. Between get ready for marning breakfast at 2:15 or so, and the time I go to sleep (midneight at about midne= midnight, there is repeated hollering over the intercom, job call outs and staff screaming on the intercom at the SSI (janitor) which resonates throughout the cell block. At 2:30 a.m. we are released to the dayroom to sit and wait for morning breakfast. Between 2:30 and 2:45 a.m. we are released for breakfast and return from the chow hall between 3:00 and 3:15 a.m. or so. At 3:20 or so, its called out on the intercom, which again resonates throughout the building, for laundry workers to get ready. At 3:45 its again called over the intercom to get ready for laundry. at 4:00 a.m. we are released for laundry and get back in our cells between 4:10 and 4:30 a.m. At 4:30 a.m. its screamed over the intercom for kitchen workers to get ready for work, and they are released a few minutes later with another announcement on the intercom. At 4:45 a.m. its screamed out for 5:05 a.m. votech to get ready for school. At 5:05 its anounced for Votech and cells are opened and doors slammed shut. At 5:20 a.m. my alarm goes off which isn't necessary due to the conditions that and schedule that I've been subjected to all night and during the day. This process begins again, with little ef or no sll sleep. If I do get any sleep, its fragmented and never do I receive more than three hours of uninterrupted sleep and this is next to never since the intercom blaers all night and cell doors are slammed continuously. I am being denied sleep and its having an adverse effect upon me and my

health both present and future. I'm constantly being placed at risk both physically and mentally.

When I've attempted to address the issues of door (cell) slamming, I've been told, "Don't come to prison if you don't like it," and things like that. NO matter how much I've ~~complaied~~ complained, or other prisoners complain, nothing is ever done about it. Officers slamm the cell doors intentionally to wake us and myself up, and line staff won't do anything about it.

The noise in the dayrooms are never addressed, nor is the misconduct by staff officers but this conduct as stated is condoned by the unit staff and unit administration.

Because of this and all conditions as outlined, I've suffered severe headaches, stress, frustration, and feel like I'm losing my mind from no sleep and the intense noise that never stops except at 10:30 p.m. and then its the intercom and cell door slamming all night. mY ears ring from the noise all day, and I have black circles under my eyes from no sleep, physically and mentally exhausted. I have spoke to medical about this numerous times and their reply was to sleep when and where I can, to get it.

If I fall asleep at work or hurt myself from falling asleep, I'm written a disciplinary case. I have no choice but to work under these unsafe conditions or I'm locked up and written a disciplinary case. Theres nothing I can do or any prisoner and I feel like I'm losing my mind at times. Something has to give soon.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on August 12, 2008



Tommy Lee Genson
1261785
1992 Helton Road
Pampa, Texas 79065

Declaration of Robert Lee Cambric

I, Robert Lee Cambric, being competent to make this declaration, and having personal knowledge of the matters stated therein, declare pursuant to 28 U.S.C. 1746:

My longterm health and well-being is at risk due to sleep deprivation, sleep fragmentation and sleep restriction. Due to my not being able to get adequate sleep I have experienced mental and physical distress. Not to mention the enormous safety risk that is created in my work area. The 5:30AM "get ready for work" announcement is where my day begins. I turn out for work between the hours of 5:30AM and 6:05AM to the "laundromat" area where the unit laundry is done. I am there from 6AM to 11:30AM and a lot of my time is spent lifting large bundles into commercial size washers. Because of my lack of rest, lifting a bundle that weighs anywhere from 40lbs-70lbs results in multiple "odd" lifts and straining muscles. Once the task of loading the washers is done, they must be activated.

These washers utilize relatively simple codes for activation, but I myself must take a moment of concentration in order to focus and recall these simple codes. After I get off work I go directly to lunch chow, and from there I go directly to my wing and try to gain entry to my individual cell, and I am routinely denied. Those in my job position are supposed to be allowed entry in order to shower because of the constant contact with soiled clothing. I am told to wait for the next in and out which, because of the 1:00pm count-time, followed by the visit for count to clear, may not be until 2:00pm. (2:15 at the latest)

Once I am finally inside my cell to finally attempt to take a nap I am frequently awakened by slamming cell doors, "all calls" for various work areas, as well as countless other misc. unscheduled calls over the P.A. system. (phone calls, lay-ins, etc.) Dinner chow is generally turned out to

the dayroom between 4pm and 5pm. Once we've returned from dinner chow it is a visiting game again to get back into the cell.

The next in and out is usually around 5:45pm followed by the officers shift change and the first in and out on second shift which is around 6:15pm. Throughout the entire time the cell doors are being slammed, and the constant "stadium" like noise in the dayroom has not decreased. Both televisions are turned up to max sound, and the offenders seem to be competing with the televisions. The 6:00pm count-time clears somewhere around 7pm-7:15pm, and then there is an "all call" for pill window and rec. I ready myself for rec because this is the only chance I have to maintain my health, and I return from rec about 8:45pm and prepare for the 10:30 rack-time.

Once inside the cell for rack time I am required, as well as all other offenders, to be standing at the door with I.D.'s in hand for the roster count that often times takes all the way to 12:00AM. My next opportunity for rest is interrupted a short while later by the "all call" for breakfast that usually is made about 2:00AM-2:15AM.

We turn out to the dayroom and wait to be released to go to breakfast, which usually doesn't occur until about 2:45-3:00AM. We return from chow about 3:20AM-3:30AM and immediately upon return there is an announcement for laundry workers to get ready for work, followed by the announcement to get ready for laundry which is about 4:15AM. We get our laundry about 4:20AM, and after that the all calls for kitchen workers, insulin, school, etc begin and they continue well into the 5AM hour. All throughout this time the cell doors are repeatedly slammed and at this time in the morning they are joined by the calling out of rosters and turn out lists. By this time I am about ready to repeat this same day all over again.

In dealing with this situation I have experienced some of the most classic of symptoms that accompany this type of deprivation.

Aching muscles, blurred vision, EDS, decreased mental activity,

hallucinations, headache, nausea, and extreme irritability, are just a few of the effects this problem has created.

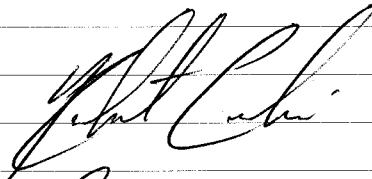
Speaking with the staff has done no good and the problem is only getting worse. Complaining about the issue is met with responses like, "make parole if you don't like it here", or, "you'll be here a while you'll get used to it."

This type of calculated, systematic torture cannot and should not be endured by any human being.

Continuing along these lines, one can only come to a dark outcome, a disciplinary case, lockdown, or worse a complete mental and/or physical breakdown.

Something has to be done soon before it is too late.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on August 13, 2008



ROBERT CAMBRIE

1421578

1492 HECTON ROAD

PAMPA, TX 79065

DECLARATION OF KEVIN THURMOND

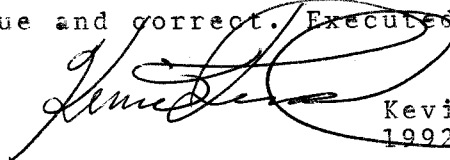
I, Kevin Thurmond, being competent to make this declaration and having personal knowledge of the matters stated therein, declares pursuant to 28 U.S.C. §1746:

I am not receiving more than three hours of sleep per night which is broken up do to the intercom, and scheduling here within TDCJ. We eat breakfast anywhere from 2:15 a.m. to 3:00 a.m.. Next it's laundry anywhere between 3:45 a.m. and sometimes as late as 4:45 a.m.. I have to turn out to wok at the boot factory at 5:30 a.m. and work till 12:00 p.m. Being locked in my cell at 10:30 p.m. and roster counted at the door between 10:30 and 11:00 p.m. , this leaves little time to sleep. Even between these schedules at night, staff holler on the intercom, and some come in and yell just to wake us up. Thus I receive at most one hour of sleep before being woke up.

During the daytime, I can't sleep because of the screaming on the intercom by staff, the slamming of my cell doors and other cell doors twice an hour by staff, the televisions turned up which no matter, you still can't hear because of the hollering in the dayrooms, noise bouncing of the walls, board games, sports on television. This makes sleep or even a peace of mind impossible. I've asked staff not to slam my cell door that its waking me up from what little sleep I get and their response is, "I don't give a fuck about you or your sleep,", "Make bond," , "write a greivenace,", ectra. Staff know that grievances don't do nothing and there are always denied, leaving me to besubjected to this day in and day out continuously whith without cease.

As a result of this condition and staff intentional misconduct, I'm not getting sleep, I feel sick, I have headaches, my eyes are red and blurred, I feel like I'm losing my mind, and my ears ring from the constant noise. I fear for my safety andf health.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. Executed August 13, 2008.



Kevin Thurmond 1332384
1992 Helton Road
Pampa, Texas 79065

DECLARATION OF
PAUL SALAFIA

I, Paul Salafia, being competent to make this declaration and having personal knowledge of the matters stated therein, declares pursuant to 28 U.S.C. §1746 :

My name is Paul Salafia, TDCJ #1350003 and currently reside at the Jordan Unit located at 1992 Helton road, Pampa, Texas 79065. I am a forty-six (46) year old male.

Prior to my incarceration at the Jordan Unit, I had what could be considered, exelent, robust health. I was rarely sick, and other than asthma, I had no chronic health issues.

After arriving at the Jordan Unit, I began to experience age related health problems, problems associted with an individual or individuals much older than I am. I developed Shingles - a condition rarely seen in a middle-aged healthy adults but common in older adults such as 60 years of age, or individuals with compromised immune systems.

Additionally, since arriving at the Jordan Unit I have been experiencing severe physical and mental exhaustion due to sleep deprivation caused by the scheduling of breakfast, laundry, ectra, and conduct of security staff who intentionally wake me up twice an hour when slamming cell doors, screaming, or to harrass me and all prisoners, which is a common practice and custom here at this unit. At this time and during my stay here at this unit, I have been experiencing severe exhaustion, memory lapses both long and short term, stress, anxiety, larthargy. I constantly feel exhausted and mentally drained. I attempt to sleep whenever I can find a minute but this is rare due to scheduling and staff conduct.

During my incarceration here, I have gained over 25 pounds in 7½ months as a result of the high fat diet and carbohydrates, yet to exhausted to exercise. I cnstantly suffer from hunger never feeling as if I'm receiving enough food.

as a result of the conditions and sleep deprivation and/or conditions giving rise to the forced sleep deprivation, restriction and fragmentation, I continue to suffer pain both mental and physical and fear for my health and safety.

EXHIBIT 15

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on September 17, 2008

A handwritten signature in cursive script, appearing to read "Paul Salafia".

Paul Salafia
TDCJ# 1350003
1992 Helton Road
Pampa, Texas 79065

DECLARATION OF STEPHEN C. WALKER

I, Stephen C. Walker, being competent to make this declaration and having personal knowledge of the matters stated therein, declares pursuant to 28 U.S.C. §1746:

Before and since filing this suit in the United States District Court, Northern District of Texas, I have spoke with numerous prisoners, well over three hundred, and asked how and if they were receiving enough sleep. With this question posed to them, 95 percent or more stated that they weren't but that there was nothing they could do about it and that since they had been in TDCJ, and here at the Jordan Unit, they had been experiencing severe sleep deprivation. Every prisoner I spoke with complained of the noise, cell door slamming which they claimed was done intentionally to wake them up, and that they had complained to staff repeatedly but always received the same snide answers that staff didn't care, your in prison, I can do what I want, ectra. Many stated that they had filed greivances over the conditions that were depriving them of sleep but they were always denied and that no further action would be taken yet the same conditions remeained. remained.

Most of the prisoners I spoke with stated that they didn't know what to do, feeling that there was nothing that they could do as the grievances get denied at both levels. Some feely felt that nothing would ever change and that TDCJ had been subjecting them to these type of condition for years despite the repeated complaints. Others were fearful of writing grievances or complaining about the conditions and staff conduct as they feared the known reprisals and common retaliation within TDCJ and condoned by TDCJ as a whole. Things such as cells being shook down and property torn up and/or destroyed, pictures and drawings torn up, commissary crushed or made unedible, parole taken from them, false disciplinary cases written for supposed rule infractions, other staff picking up where the other left off, which would result in a daily retaliation, and then be justified as done for "security reasons", the common

reply to any grievance filed over such conduct or brought to the attention of line supervisors. Because of this type of harrassment and retaliation, prisoners fear pushing this issue or writing an affidavit of what they have experienced, yet 95 percent of them complained of being sleep deprived and that they were suffering from such. Additionally, prisoners who complained feared losing their craft shop priviledges, or being transferred to an institutional job that required longer hours, harder work, worse working conditions, worse staff supervisors, and continuous harrassment.

Additionally, I have ~~spek~~ spoken with many regular security officers about the conditions, the noise, the inadequate sleep. Security officer Mrs. Rae D. Mayer who works the Law Library has stated many times to prisoners and myself, that what "they" were doing to us ~~concern~~ concerning sleep and the schedule was wrong and that prisoners weren't getting sleep and were being deprived of sleep. On many occasions, she specifically told me I was looking bad, tired, about to drop, and that what "they were doing to me was wrong. Mrs. Mayer stated that she thought we as prisoners were supposed to get 6 hours of sleep but that we weren't even getting that.

Speaking with Mrs. Mary Ann Lamb, Law Library Supervisor, I asked her to schedule me for the Law Library later in the day as the morning session was to hard for me to attend as I was tired and could barely get up or move. She responded that many prisoners were tired but that she would have to keep me on the ~~later~~ morning schedule and couldn't make an exception for me, as well as the night session was full.

I have spoken with Officer Anna L. Michalenko who has also acknowledged that prisoners aren't getting sleep and the noise in the dorms/buildings. Additionally, Mrs. Heidi L. Syfrett and Mrs. Brenda Gragg and I have had conversations concerning the noise and sleep issue and both agreed that it was extremely bad. There are other staff I have spoken to an all agreed that the conditions were making sleep impossible and that ~~prasio~~ prisoners were being sleep deprived and the noise levels were so loud that one can't hear.

Additionally, as stated in the original complaint and stated on another affidavit, Chaplain Willard Kiper has stated that, "TDCJ has been doing this for years. It keeps the energy levels down." A later conversation with Mr. Kiper, he stated that, "If the conditions are as you have stated, then what their doing to yall is wrong." So many staff I have spoken to know of the problem but as regular officers, are powerless to change the conditions. Then there are the ones that think we prisoners deserve this treatment.

As I have continued to speak with prisoners about the conditions and the issue of sleep deprivation, prisoners remain scared of speaking out for the fears I stated earlier in the declaration, yet express hope that the current suit will bring them relief. As to some staff, they have been instructed no to answer any questions concerning the sleepm issue nor make any statements since there is a pending suit. Plaintiff (me) has and will continue to bring additional information and declarations forth.

I, Stephen C. Walker, declare pursuant to 28 U.S.C. §1746 and under the penalty of perjury that the foregoing is true and correct as is known. Executed this August 12, 2008

A handwritten signature in black ink, appearing to read 'Stephen C. Walker', with a long horizontal flourish extending to the right.

Stephen C. Walker
1417300
1992 Helton Road
Pampa, Texas 79065